

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

*In re* Flint Water Cases.

Judith E. Levy  
United States District Judge

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This Document Relates To:

*Bellwether III Cases*  
Case No. 17-10164

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**JOINT STIPULATION REGARDING SCHEDULING ORDER FOR  
BELLWETHER III TRIAL**

Bellwether III Plaintiffs and Defendants Veolia Water North America Operating Services, LLC, Veolia North America, Inc., and Veolia North America, LLC (the “VNA Defendants”), Leo A. Daly Company, Lockwood Andrews & Newnam, P.C., and Lockwood Andrews & Newnam, Inc. (the “LAN Defendants”), hereby stipulate and agree to extend certain pre-trial deadlines in the Scheduling Order for the Bellwether III Trial as follows:

<b><u>Event</u></b>	<b><u>Current Deadline/Date Range</u></b>	<b><u>New Deadline/Date Range</u></b>
Defendants’ Expert Reports and Disclosures (for experts not responsive to Bithoney (“Group A Defense	April 28, 2023	May 26, 2023

Experts”) <sup>1</sup>		
Plaintiffs’ Reply Expert Reports (for those who are responsive to Group A Defense Experts) + Due Date for Bithoney Replacement Expert Report and Complete Disclosure	May 19, 2023	June 16, 2023
Depositions of Plaintiffs’ Experts (Dr. Bithoney and Replacement of Dr. Bithoney) + Defendants’ IMEs of Plaintiffs (if needed)	May 22, 2023 to June 9, 2023	June 19, 2023 to July 7, 2023
Defendants’ Reply Expert Reports (for Group A Defense Experts)	June 2, 2023	June 30, 2023
Defendants’ Expert Depositions (of Group A Defense Experts) (shall be limited only to those experts for whom the parties submit new or additional reports)	June 5, 2023 to June 23, 2023	July 3, 2023 to July 21, 2023
Defendants’ Expert Reports and Disclosures	June 23, 2023	July 21, 2023

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<sup>1</sup> The disclosure deadline for Defendants’ experts responsive to Dr. Aaron Specht only (and not also responsive to Dr. Bithoney or his replacement) will be set following the scheduling of Dr. Specht’s deposition.

(for experts responsive to Bithoney or Bithoney replacement (“Group B Defense Experts”))		
Plaintiffs’ Reply Expert Report Depositions (for those who are responsive to Group A Defense Experts)	June 26, 2023 to June 30, 2023	July 24, 2023 to July 28, 2023
Plaintiff Reply Expert Reports (for those who are responsive to Group B Defense Experts)	July 10, 2023	August 7, 2023
Defendants’ Reply Expert Reports (for Group B Defense Experts)	July 21, 2023	August 18, 2023
Defendants’ Expert Depositions (of Group B Expert Reports) (shall be limited only to those experts for whom the parties submit new or additional reports)	July 24, 2023 to August 14, 2023	August 21, 2023 to September 11, 2023
Plaintiffs’ Reply Expert Report Depositions (for those who are responsive to Group B Defense Experts)	August 15, 2023 to August 22, 2023	September 12, 2023 to September 19, 2023
Daubert and Summary Judgment Motions—Opening Briefs	August 30, 2023	September 27, 2023
Daubert and Summary	September 27, 2023	October 25, 2023

Judgment Response Briefs		
Daubert and Summary Judgment Reply Briefs	October 11, 2023	November 8, 2023
Motions in Limine—Opening Briefs	November 6, 2023	December 4, 2023
Deadline for parties to submit joint proposed jury questionnaire to the Court	TBD	TBD
Deadline for Parties to send 250 copies of Juror Questionnaires to Judge Levy's Chambers in Ann Arbor, Michigan	TBD	TBD
Plaintiffs to Submit to Defendants Draft Joint Pretrial Order (includes witness list and exhibit list)	November 10, 2023	December 8, 2023
Jurors Summoned in Court to Answer Questionnaires	TBD	TBD
Hearing Regarding Excusals Based on Jury Questionnaire Responses	TBD	TBD
Motions in Limine Response Briefs	November 20, 2023	December 18, 2023
Defendants to Submit to Plaintiffs Draft Joint Pretrial Order (includes witness list and exhibit	November 24, 2023	December 22, 2023

list) and engage in meet and confer		
Motions in Limine Reply Briefs	November 29, 2023	December 27, 2023
Oral Argument on Daubert Motions	TBD	TBD
Oral Argument on Summary Judgement motions	TBD	TBD
Deposition Designations (due for exchange between parties)	TBD	TBD
Parties to submit Voir Dire Questions, Proposed Preliminary Jury Instructions	December 4, 2023	January 1, 2024
Parties to submit Joint Final Pretrial Order	December 8, 2023	January 5, 2024
Objections to Deposition Designations and Counter Designations (due for exchange between parties)	TBD	TBD
Deadline for Submitting Deposition Designations Matrices and Highlighted Transcripts to the Court	TBD	TBD
Deadline for Court to Inform Jury Department of Excusals Based on	TBD	TBD

Questionnaires		
Final Pretrial Conference, hearing on motions in limine	December 18, 2023 10:30 am	January 15, 2024 10:30am
Hearing Regarding Misc. Pretrial Matters (if needed)	January 9, 2024 10:30 am	February 6, 2024 10:30am
First Day of Trial/Voir Dire	January 10, 2024 8:30 a.m.	February 7, 2024 8:30am

Dated: April 27, 2023

Respectfully submitted,

CAMPBELL CONROY &  
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